

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MACK FINANCIAL SERVICES,
a division of VFS US LLC

PLAINTIFF

VS.

CIVIL ACTION NO. 3:17-cv-548(DCB)(LRA)

DANIEL WESLEY GRAY

DEFENDANT

ORDER REGARDING DEFAULT JUDGMENT AGAINST DEFENDANT

This cause is before the Court on the plaintiff Mack Financial Services, a division of VFS US LLC ("Mack Financial")'s Motion pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure (**docket entry 7**), requesting the Court to enter a Judgment by Default against the defendant Daniel Wesley Gray ("Gray").

On July 10, 2017, Mack Financial filed its Complaint against Gray for breach of contract. Service of process was perfected upon the defendant in accordance with the provisions of Rule 4(e) of the Federal Rules of Civil Procedure by personal service on August 6, 2017. The defendant is in default in this action for failure to serve or file an answer, responsive pleading, or motion, and has otherwise failed to appear and defend in this action within twenty-one (21) days as required by the Federal Rules of Civil Procedure. See Request for Entry of Default (docket entry 5); Affidavit in Support of Entry of Default (docket entry 5-1). On September 20, 2017, the Clerk of Court docketed an Entry of Default as to defendant Gray upon the Request for Entry of Default and supporting affidavit filed by the plaintiff. See Clerk's Entry of Default

(docket entry 6).

There has been no indication by the defendant of any intention to defend this lawsuit. The Court therefore finds that a default judgment should be entered against the defendant pursuant to Rule 55 of the Federal Rules of Civil Procedure, awarding the plaintiff the relief sought against the defendant in the Complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff Mack Financial's Motion pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure **(docket entry 7)** requesting the Court to enter a Judgment by Default against defendant Gray is GRANTED;

FURTHER ORDERED that the plaintiff shall present to the Court a proposed Final Judgment / Default Judgment against the defendant, in keeping with this Order.

SO ORDERED, this the 30th day of January, 2018.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE